

### REMARKS

This Amendment is responsive to the Office Action identified above, and is responsive in any manner indicated below.

### PENDING CLAIMS

Claims 1-7 were pending in the application at the time of the Office Action, under consideration and subject to examination. Unrelated to any prior art or scope, appropriate claims have been amended. For instance, clarified Claim 1 finds support in the application at, e.g., page 8, lines 1-5, and clarified Claim 6 finds support in the application at, e.g., page 10, line 12 through page 11, line 23. That is, such amendments are simply refocused (*i.e.*, clarified) claims in which Applicant is presently interested. Ones of new Claims 13-18 somewhat parallel Claims 1-5 and 8, respectively. At entry of this paper, Claims 1-18 are pending for consideration and examination in the application.

### REJECTIONS UNDER 35 USC §§102/103 - TRAVERSED

All 35 USC rejections (*i.e.*, the §102 rejection of Claim 1 as being anticipated by Sato (US 6,124,725) and the §103 rejection of Claims 2-7 as being unpatentable over Sato in view of Moslehi (US 5,719,495)) are respectfully traversed. Such rejections has been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated herein by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following remarks from Applicant's foreign representative in support of traversal of the rejection and patentability of Applicant's claims.

In order to properly support a §102 anticipatory-type rejection, any applied art reference must disclose each and every limitation of any rejected claim. The applied art does not adequately support a §102 anticipatory-type rejection because, at minimum, such applied art does not disclose (or suggest) the following discussed limitations of Applicant's claims.

Since Claim 1 is clarified as mentioned above, it is made clear that the object to conduct measurement in the apparatus is the wafer sensor module, not the wafer to be processed. As explained in detail from page 10 line 12 to page 11 line 25 of the original specification, the wafer sensor module is positioned on the wafer stage in the apparatus for processing semiconductor wafer and the parameters for processing the semiconductor wafer are determined using the wafer sensor module (e.g., see: page 10, line 27 to page 11, line 2; page 16, lines 12-17; page 18 lines 4-10; page 19, lines 19-25; etc., of the specification). That is, Applicant's wafer sensor module is a specialized module having specialized sensors, and have (see Claims 2, 9) at least one optical signal communication device to optically communicate sensor probe data off the wafer sensor module.

In contrast to the Examiner's allegation as to Column 7, line 11 through Column 9, line 63 of Sato, the material which is transported by the wafer transport mechanism 30 is "the wafer Vi" (see, e.g.: Column 7, lines 44-46; Column 8, lines 26-29; etc. of Sato), **not a specialized wafer sensor module**, and the wafer W *per se* is subjected to the measurements (see, e.g., Column 8, line 53 to Column 9, line 62 of Sato). The last portion of this recitation states:

On the basis of the measurement signals from the chips, the chips are tested to check whether or not they have a potential defect, and whether or not they are suitable for use. In this manner, the reliability test for the wafer W is executed, and the distribution of defective chips is obtained.

Since the material to be tested is quite different between the present invention and Sato, the rejection of Claim 1 is unreasonable.

Concerning the rejection of Claims 2-7 under 35 USC §103 as being unpatentable over Sato in view of Moslehi, the deficiencies regarding Sato are discussed above.

Regarding Moslehi, even if Moslehi does disclose "wherein measured values detected by the sensor probes are converted to optical signals, which are led out from the processing chamber..." as alleged by the Examiner, since the object to be measured is different from that disclosed in Sato (a wafer sensor module is not disclosed by Sato), and transportation of the wafer sensor module into the apparatus is not disclosed by Sato, the combination of Sato with Moslehi does not render the claimed invention obvious.

Concerning the rejection of Claims 6 and 7 as being unpatentable over Sato in view of Moslehi, the deficiencies of Sato and Moslehi are discussed above.

Furthermore, since Claim 6 is clarified as indicated above, Claim 6 is not obvious from these references.

Moreover, according to Sato, probes are made from a silicon substrate, but the probe is made with an aim of electrically contacting with the wafer which becomes a product. This is fundamentally different from the present invention.

Furthermore, Moslehi receives optical signals from the wafer, but it should be noted that the light is not from the luminescent device, but instead is reflected light from the outside. This is also fundamentally different from the present invention.

Therefore, even if the teaching of Moslehi is applied to Sato, Claims 6 and 7 also are not obvious from these references.

The above arguments apply equally as well to ones of the added claims 8-18.

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support a §102 anticipatory-type rejection or a §103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such §§102 and 103 rejections, and express written allowance of all of the pending claims, are respectfully requested.

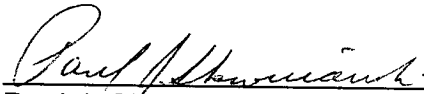
#### **EXAMINER INVITED TO TELEPHONE**

The Examiner is invited to telephone the undersigned at the local DC area number 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.

### CONCLUSION

This Amendment is being filed within the shortened statutory period for response set by the outstanding Office Action, and therefore, no Petition or extension fee is required. To whatever other extent is actually necessary and appropriate, Applicant respectfully petitions for an extension under 37 CFR §1.136. Please charge any deficiencies in appropriate fees to ATS&K Deposit Account No. 01-2135 (as Order No. 500.41296X00).

Respectfully submitted,



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